

## MINUTES OF BENTON COUNTY QUORUM COURT

**May 24, 2012**

A regular meeting of the Benton County Quorum Court was held on Thursday, May 24, 2012 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

Deputy Clerk Janet Reaves called the May 24, 2012 Quorum Court meeting to order, and stated that in the absence of the County Judge it will be necessary to select a chair person to preside over the meeting.

JP Hawkins made motion to select JP Kurt Moore as Chair, seconded by JP Douglas.

Motion passed by unanimous voice vote.

JP Allen made motion that nominations cease, seconded by JP Douglas.

Deputy Clerk Janet Reaves called roll as follows:

12 JPs Present: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Moore  
1 Absent: Carr

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Pastor Roger Joslin of All Saints' Episcopal Church led the prayer.

### **CHANGES TO THE AGENDA:**

None

### **MINUTES:**

JP Douglas made motion to approve the minutes of the April 26, 2012 Quorum Court as distributed, seconded by JP J. Harrison.

Motion passed by unanimous voice vote.

### **ELECTED OFFICIALS REPORTS:**

Administrator of General Service Elizabeth Bowen presented a power point presentation of the 2012 Spring County Wide Clean-up. She stated that the clean-up was a great success and the total cost to the county is still being assessed. She said that a final report will be given at the June 28, 2012 Quorum Court meeting. She reported that with only five weeks of advertising, the 2012 Spring Clean-up had 1,474 participants, compared to 900 in the Spring of 2011, and that team leaders were assigned to each location, helping to make the clean-up more successful.

JP Douglas stated that the staff had done a wonderful job putting the clean-up together and that it was very well-organized and a great success.

### **COUNTY JUDGES REPORT:**

Acting Chair JP Kurt Moore stated that the May 24, 2012 County Judges Report is included in the meeting packet. The report contained the following information; 1) Benton County West Road Facility was opened and in business; 2) They are continuing to coordinate and move county offices into vacated space and out of leased space. 3) The Prosecuting Attorney's staff has moved into the East Tower; 4) The Maintenance Department has moved to the East Tower; 5) The Coroner's Office is under construction; 6) The Assessors Annex is under construction and progressing well, and they should occupy the building by the end of June; 7) The Countywide EMS study is in progress; 8) Road grading has been considerably reduced due to the lack of rain.

JP Winscott stated that the Emergency Medical Services (EMS) study would be ready for review next week and that a draft copy of the study will be made available to the Quorum Court members and Elected Officials.

JP Jones asked Elizabeth Bowen if the draft report could be made available on the county website for people in the NEBCO service area, and other unincorporated areas, to see what suggestions the study contains for those areas. He stated they might be interested and have some comments for the committee.

Elizabeth Bowen stated that she would have the report made available on the county website.

JP Winscott stated the first draft of the study is expected to be about 90 pages and urged the justices of the peace to study it so that they can discuss the issue.

**COMMITTEE REPORTS:**

None

**PUBLIC COMMENTS:**

None

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

12 yeas:	King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Moore
1 absent:	Carr

Motion to suspend the rules passed.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- (A) Proposed Resolution Confirming the County Judge's Appointment of Ashley Tucker to the Benton County Planning Board, Position 7;  
Sponsor: Benton County Judge Bob Clinard

Deputy Clerk Janet Reaves read the proposed resolution by title only.

JP Winscott made motion to approve the proposed resolution to appoint Ashley Tucker to the Benton County Planning Board, Position 7, seconded by JP Sandlin.

Ashley Tucker stated that he is a resident of Bella Vista, and is the Senior Project Manager in Wal-Mart's Real Estate and Design Department. He stated that a position on the Planning Board would give him a connection with the community, and that he looks forward to serving Benton County.

Lengthy discussion was held on Ashley Tucker's qualifications, knowledge, and experience.

Ashley Tucker stated it is not the Planning Boards job to tell people what they can and cannot do, but to interpret what the ordinances say, and how the ordinance applies to a project, and that there are other things to consider. He stated that he thinks the County needs a master plan, but not necessarily zoning. He said that the Planning Department has to consider the rights of all property owners when considering a project and make sure that any development is compatible with the surrounding properties.

JP Jones called for the question.

There being no further discussion, a roll call vote was recorded as follows:

12 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Moore  
1 absent: Carr

Resolution duly adopted and assigned **No. R-2012-06.**

- (B) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 31, Planning, Fund 010; Sponsor: JP Tom Allen

Deputy Clerk Janet Reaves read the proposed appropriation ordinance by title only.

JP Allen stated this is to appropriate \$25,000 in grant monies received for the Planning Board's Rain Garden project, and requires a 25% in-kind match.

JP Allen made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Moore  
1 absent: Carr

Appropriation ordinance duly adopted and assigned **No. O-2012-28.**

- (C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) to Appropriate Additional Funds and Authorize Additional Expenditures in Department 07, County Assessor, Fund 440; Sponsor: JP Tom Allen

Deputy Clerk Janet Reaves read the proposed appropriation ordinance by title only.

JP Allen stated that this is to appropriate \$30,000 for additional expenditures to complete the remodeling of the Assessor's Annex Facility.

JP Allen made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Moore  
1 absent: Carr

Appropriation ordinance duly adopted and assigned **No. O-2012-29.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) to Appropriate Additional Funds and Authorize Additional Expenditures Department 21, Prosecuting Attorney, Fund 440; Sponsor: JP. Tom Allen

Deputy Clerk Janet Reaves read the proposed appropriation ordinance by title only.

JP Allen stated that this was forwarded from the Finance Committee and the Committee of Thirteen with unanimous support, and is to appropriate \$20,000 for the Courthouse Tower East for more office space.

JP Allen made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

12 yeas:	King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Moore
1 absent:	Carr

Appropriation ordinance duly adopted and assigned **No. O-2012-30.**

- (E) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 44, West Side Road Facility, Fund 440; Sponsor: JP Tom Allen

Deputy Clerk Janet Reaves read the proposed appropriation ordinance by title only.

JP Allen stated this is to appropriate \$20,000 to complete construction of the Westside Road Facility.

JP Allen made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

12 yeas:	King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Moore
1 absent:	Carr

Appropriation ordinance duly adopted and assigned **No. O-2012-31.**

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 44, Road Department, Fund 020; Sponsor: JP Tom Allen

Deputy Clerk Janet Reaves read the proposed appropriation ordinance by title only.

JP Allen stated this appropriation ordinance has been changed since the Committee of Thirteen meeting, per the court's direction, and the phrase "*or to otherwise pay for acquisition of*" as been added to Article 2. He stated that this is to appropriate \$104,980 to reimburse the City of Bentonville for easement acquisitions on Windmill Road.

JP Allen made motion to adopt, seconded by JP Sandlin.

There being no further discussion, a roll call vote was recorded as follows:

12 yeas:	King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Moore
1 absent:	Carr

Appropriation ordinance duly adopted and assigned **No. O-2012-32.**

- (G) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (2012 Benton County Budget) Authorizing a Transfer of Funds in Department 30, Emergency Management, State Homeland Security Grant FY 2010 – LETPA Grant, Fund 297; Sponsor: JP Tom Allen

Deputy Clerk Janet Reaves read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP J. Harrison.

There being no discussion, a roll call vote was recorded as follows:

12 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,  
Jones, Sandlin, Douglas, Blaty, Curry, Moore  
1 absent: Carr

Appropriation ordinance duly adopted and assigned **No. O-2012-33.**

**OTHER BUSINESS:**

None

**ANNOUNCEMENTS:**

JP Allen announced that a Finance Committee meeting will be held June 5, 2012 at 5:30 p.m.

JP Blaty announced that a Grievance Committee meeting will be held June 4, 2012 at 6:00 p.m. and that the committee for this particular grievance will be made up of all Quorum Court members.

**ADJOURNMENT:**

There being no further business to come before the court, upon motion and second, the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Tena O'Brien  
County Clerk

Prepared by: Janet Reaves